

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

BILLIE DEAN LOGAN,)
)
Plaintiff,)
)
v.) No. 06-2482-JPM/dkv
)
)
SHELBY COUNTY; ANDREW TABOR)
LIEUTENANT MOORE; DR. OBI,)
SHELBY COUNTY SHERIFF MARK)
LUTRELL; and MAYOR A.C. WHARTON,)
)
)
Defendants.)

ORDER ADOPTING REPORT AND RECOMMENDATION

Pending before the Court is the Report and Recommendation of Magistrate Judge Diane K. Vescovo, submitted January 2, 2008 (Doc. 45), recommending that the Defendant Dr. Obi's motion to dismiss pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute and to comply with orders of the court be granted.

In determining that such action is appropriate, the Magistrate Judge found that plaintiff failed (1) to respond to Dr. Obi's interrogatories and requests for production; (2) to provide Rule 26(a) initial disclosures; (3) to respond to both Dr. Obi's motions to compel; and (4) to comply with the Court's order to respond to discovery requests and provide initial disclosures. Finally, the Magistrate Judge found that the

Court's orders sufficiently warned Plaintiff that a failure to comply with discovery requests and court orders would result in dismissal of his claims. Accordingly, the Magistrate Judge recommended dismissing all Plaintiff's claims.

No objections to the Report and Recommendation have been filed, and the time for filing objections has since expired. Upon de novo review of the Magistrate Judge's Report and Recommendation, the Court ADOPTS the Magistrate Judge's Report and Recommendation in its entirety, GRANTS Defendant Dr. Obi's Rule 41(b) Motion to Dismiss, and DISMISSES Plaintiff's claims with prejudice.

So ORDERED this 22nd day of January, 2008.

/s/ JON P. McCALLA
UNITED STATES DISTRICT JUDGE